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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,424	04/10/2006	Yang Peng	CN 030035	3752
24737 7590 12/14/2010 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER				
POPHAM, JEFFREY D				
ART UNIT		PAPER NUMBER		
2491				
MAIL DATE		DELIVERY MODE		
12/14/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/575,424

Applicant(s)

PENG ET AL.

Examiner

JEFFREY D. POPHAM

Art Unit

2491

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 November 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Jeffrey D Popham/
Primary Examiner, Art Unit 2491

Continuation of 3. NOTE: The amendment to claim 17, stating that verifying the authenticity of the downloadable media content with the public key is "in cooperation with the private key of the downloadable media content". However, as explained in the objection in the final office action dated 9/28/2010, using both the public and private keys would cancel each other out, and the result would not be decrypted, thereby not allowing the system to verify authenticity. A more full discussion of this can be found in the final office action.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues, once again, that authentication of a computing device does not result in authentication of the content residing thereat. However, the claims are not directed to authenticating content stored on the server. The claims are directed to authenticating content distributed by the server. Therefore, in the server signing the content and the client verifying the content, the content sent from the server is verified as authentic. If Applicant desires to authenticate data stored on the server, the claims will have to be amended.

Applicant also argues that Kambayashi does not disclose "each external media content having an added private key associated with at least one stored media content". However, Kambayashi teaches that each piece of external media content sent from the server is encrypted with a private key. This private key is associated with "at least one stored media content" as it is used to encrypt the external media content that is associated with (or is, itself) a piece of stored media content. As Applicant does not claim how this association occurs, the association provided in Kambayashi reads thereon.

Applicant also argues that Kambayashi does not teach verifying "the authenticity of the downloaded external media content using the public key read-out from the optical disk and the added private key of the downloaded external media content, as for example recited in claim 20. While it is admitted at page 9 of the Final Office Action that Kumbayashi does not teach reading the public key from the optical disk, it is respectfully submitted that Kumbayashi does nothing to suggest "added private key of the downloaded external media content". As explained above, this amendment is not entered and, due to the reasons stated above and in the final office action, cannot occur as claimed.

Applicant goes on to state "Also see the arguments above and in the responses to the previous Office Actions with regard to the authentication of the external content independent of the authenticity of the computing devices, e.g. servers, on which such external content resides." Applicant is directed to the previous responses, such as the final office action dated 9/28/2010 for a complete response to these previous arguments. Briefly, however, Kambayashi clearly differentiates between authenticating the content and authenticating the server, as can be seen in figures 21-22 (this was fully described in the final office action).

Applicant argues that Uranaka does not remedy the above discussed deficiencies of Kambayashi. As Kambayashi has no such deficiencies, this argument is moot.

Applicant finally argues that Kambayashi in view of Uranaka do not teach every limitation of claim 20, without providing any supporting arguments. Due to what Applicant has highlighted in this block copy of claim 20, the above responses to arguments made with respect to claim 17 are deemed sufficient.